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NAME: Art Unit 3628
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FAX NUMBER: (703) 872-9306

DATE: September 3, 2004

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COMMENTS: Please refer to the attached **Comments on the Substance of Interviews**
for Application **09/972,400**.

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September 3, 2004

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Patent Examiner Poinvil Frantzy

Re: Application Serial No.: 09/972,400
Confirmation No.: 5065
Applicants: Mark S. Covert, et al.
Title: Automated Banking Machine and System
Docket No.: D-1077+14 DIV

Sir:


Comments on the Substance of Interviews

On May 11, 2004 Applicants filed a Request for Clarification ("Request") regarding the Office Action dated May 6, 2004. On July 28, 2004 Daniel Wasil (Reg. No. 45,303) contacted the PTO to discuss the status of the Request. SPE Sough informed Mr. Wasil that Examiner Kanof was no longer with the PTO. SPE Sough agreed that the Office Action was unclear and it should have stated that all of the claims were rejected. SPE Sough stated that the application would be assigned to another examiner for mailing of a new Office Action clarifying the record.

Examiner Poinvil Frantzy was later assigned to the application. On August 20, 2004 Mr. Wasil contacted examiner Frantzy to discuss the status of the Request. Examiner Frantzy indicated that a new Office Action would be mailed soon. The new Office Action would be substantially the same as the Office Action dated May 6, 2004 except it would remove the lack of clarity regarding which claims were rejected by stating that all of the claims were rejected.

As of this date Applicants have not received the indicated new Office Action. Nor have they received any statement on the record that a new Office Action is forthcoming. Applicants request either the new Office Action or an Interview Summary promising such Office Action.

Very truly yours,


Ralph E. Jocke

Reg. No. 31,029